



**AIRCRAFT OWNERS AND PILOTS ASSOCIATION**

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February 25, 2005

Mr. Deepak Joshi  
Lead Aerospace Engineer (Structures)  
National Transportation Safety Board  
Room 5235  
490 L'Enfant Plaza, SW  
Washington, DC 20594

**RE: 49 CFR Part 830; Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records; Notice of Proposed Rulemaking**

Dear Mr. Joshi,

The Aircraft Owners and Pilots Association (AOPA) representing over 400,000 general aviation pilots, submits the following comments to the National Transportation Safety Board's (NTSB) Notice of Proposed Rulemaking (NPRM), Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records published in the Federal Register on December 27, 2004. AOPA is concerned that NTSB's proposed changes to 49 CFR 830 may unnecessarily burden pilots with increased reporting requirements without enhancing safety.

The NTSB proposes to revise the list of events found in § 830.5 that require immediate NTSB notification. AOPA is specifically concerned over the confusion and unintended operational impact that may arise from the following two proposed reportable events.

***(9) Loss of information from a majority of an aircraft's certified electronic primary displays (excluding momentary inaccuracy or flickering from display systems that are certified installations).***

The proposal would require pilots to report to NTSB any loss of information from a majority of the electronic primary displays. The NPRM however fails to define the terms "majority" and "electronic primary displays". The NTSB's failure to adequately characterize the meaning of these terms may lead pilots to unnecessarily report malfunctions of certain electronic displays that are inconsequential to the safe operation of the aircraft.

For example, a pilot, while flying under visual meteorological conditions (VMC), experiences a malfunction in the aircraft's primary navigation display and loses all available Global Positioning System (GPS) information, according to the proposed rule, the pilot would have to report the loss of information to the NTSB. Safety was never compromised by the loss of GPS information; the pilot simply reverted to an alternate means of navigation consistent with their training.

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But according to the NPRM if a majority of the displays malfunction, flight safety may be compromised, and therefore a pilot would need to report it.

The NTSB should revise this proposed event to better define the terms and accurately depict operational situations where a loss of electronic information would clearly compromise an aircraft's continued safe flight.

***(10) Any Airborne Collision and Avoidance System (ACAS) resolution advisories (RA) issued when an aircraft is being operated on an instrument flight rules (IFR) flight plan.***

The NTSB's stated purpose in the NPRM for requiring that ACAS resolution advisories involving aircraft operating under IFR be subject to NTSB notification is to assist the Board in detecting, tracking, and investigating RAs. NTSB further states that by knowing about these incidents soon after they occur would ensure that radar and voice data are available when needed to support investigations of ACAS incidents. This requirement is duplicative and unnecessary since the FAA already records incidents involving loss of separation. NTSB can access these FAA reports now without placing an added burden on pilots.

AOPA requests that NTSB reevaluate and weigh its need for information against the administrative burden placed on pilots from ill-conceived requirements. NTSB should also carefully consider all sources of available information before adding any new and unnecessary reporting requirements.

Sincerely,

A handwritten signature in black ink, appearing to read 'Luis M. Gutierrez', with a stylized flourish at the end.

Luis M. Gutierrez

Director, Regulatory and Certification Policy  
Aircraft Owners and Pilots Association